

MESSAGE NO: 1194311 MESSAGE DATE: 07/13/2011

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 72 FR 51787 FR CITE DATE: 09/11/2007

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-202

EFFECTIVE DATE: 07/13/2011 COURT CASE #:

PERIOD OF REVIEW: 02/01/2005 TO 01/31/2006

PERIOD COVERED: 02/01/2005 TO 01/31/2006

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ. INSTRUCTION FOR HEAVY FORGED HAND TOOLS (BARS AND WEDGES)
FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE PRC-WIDE ENTITY FOR
PERIOD 02/01/2005 THROUGH 01/31/2006 (A-570-202)

1. FOR ALL SHIPMENTS OF HEAVY FORGED HAND TOOLS, FINISHED OR UNFINISHED,
WITH OR WITHOUT HANDLES (BARS AND WEDGES) FROM THE PEOPLE'S REPUBLIC OF
CHINA EXPORTED BY THE PRC-WIDE ENTITY (A-570-202-000) ENTERED, OR WITHDRAWN
FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/01/2005 THROUGH
01/31/2006, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 139.31 PERCENT OF THE
ENTERED VALUE.

2. IN ACCORDANCE WITH THE DEPARTMENT'S FINAL RESULTS (72 FR 51787, 09/11/2007),
THE FOLLOWING FIRMS ARE NO LONGER ELIGIBLE FOR A SEPARATE RATE AND ARE
CONSIDERED PART OF THE PRC-ENTITY:

FUJIAN MACHINERY & EQUIPMENT IMPORT & EXPORT CORP. (A-570-202-001)

LIAONING MACHINERY IMPORT & EXPORT CORP. (A-570-202-005)

THEREFORE, ENTRIES OF HEAVY FORGED HAND TOOLS, FINISHED OR UNFINISHED,
WITH OR WITHOUT HANDLES (BARS AND WEDGES) FROM THE PEOPLE'S REPUBLIC OF
CHINA FROM THE FIRMS LISTED IN THIS PARAGRAPH, ENTERED, OR WITHDRAWN FROM
WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/01/2005 THROUGH
01/31/2006, SHOULD BE LIQUIDATED IN ACCORDANCE WITH THE ASSESSMENT
INSTRUCTIONS LISTED IN PARAGRAPH 1 ABOVE FOR THE PRC ENTITY.

3. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF
LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 02/01/2005
THROUGH 01/31/2006. ACCORDINGLY, NOTICE OF LIFTING OF SUSPENSION OCCURRED
ON THE MESSAGE DATE LISTED IN THESE INSTRUCTIONS. FOR ALL OTHER SHIPMENTS
OF HEAVY FORGED HAND TOOLS, FINISHED OR UNFINISHED, WITH OR WITHOUT
HANDLES (BARS AND WEDGES) FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL,

UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY 07:MF).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-202-000	139.31%	E		ALL OTHER COMPANIES
A-570-202-001	139.31%	M		FUJIAN MACHINERY & EQUIPMENT IMPORT & EXPORT CORP.
A-570-202-005	139.31%	M		LIAONING MACHINERY IMPORT & EXPORT CORP.